

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

AMY MORGAN, individually and on behalf of all	)	
others similarly situated,	)	
	)	
Plaintiff,	)	Case No. 1:19-cv-04401-JMS-DML
	)	
v.	)	
	)	
MIDLAND CREDIT MANAGEMENT, INC.,	)	
	)	
Defendant.	)	

**RESPONSE TO NOTICE OF 7<sup>TH</sup> CIRCUIT RULING AND MOTION TO LIFT STAY**

Defendant MIDLAND CREDIT MANAGEMENT, INC. by and through its attorneys and for its Response to Plaintiff's Notice of Seventh Circuit Ruling and Motion to Lift Stay states as follows:

1. Defendant acknowledges that the Seventh Circuit issued its opinion in *Preston v. Midland Credit Management, Inc.*, Case No. 18-3119 on January 21, 2020 and that the stay was entered pending a ruling in *Preston*.

2. While Defendant does not oppose lifting the stay in light of the opinion, Defendant requests that the Court set a telephonic conference prior to scheduling any deadlines in this matter as a threshold issue to be addressed is whether this matter should be transferred to the Northern District of Illinois. There are ten cases pending in the Northern District of Illinois filed by Plaintiff's counsel against this Defendant that involve the use of language on an envelope under the FDCPA. The parties have discussed relating and/or consolidating the matters to a single judge and are to appear before multiple judges in the Northern District of Illinois the week of March 2, 2020 to advise of how the parties intend to proceed. See *Preston v. Midland Credit Management, Inc.*, Case No. 1:19-cv-2017; *Nash v. Midland Credit Management, Inc.*, Case No. 1:19-cv-08077; *Castle v. Midland Credit Management, Inc.*, Case No. 19-cv-5855; *Ruyyashi v. Midland Credit Management, Inc.*, Case No. 19-cv-6210 (N.D.Ill.).

3. Accordingly Defendant requests that the court set a telephonic conference with the parties the week of March 2, 2020 or later so that the parties may address how they intend to proceed in these matters.

WHEREFORE Defendant respectfully requests that the court set a telephonic conference the week of March 2, 2020.

	Respectfully Submitted,  <u>/s/Jennifer W. Weller</u> David M. Schultz Jennifer W. Weller HINSHAW & CULBERTSON LLP 151 N. Franklin St., Suite 2500 Chicago, IL 60606 Phone (312)704-3000 Fax (312)704-3001 <a href="mailto:dschultz@hinshawlaw.com">dschultz@hinshawlaw.com</a> <a href="mailto:jweller@hinshawlaw.com">jweller@hinshawlaw.com</a>	
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